HON'BLE MR. JUSTICE GHULAM MOHAMMED

W.P.No.16242 of 1996

06-02-2006

Between:

M.Ram Reddy

… Petitioner

and

The Presiding Officer,

Labour Court-I, Andhra Pradesh

at Hyderabad and another

… Respondents

HON'BLE MR. JUSTICE GHULAM MOHAMMED

W.P.No.16242 of 1996

ORDER:

This writ petition is filed challenging the award made by the Labour Court-I, Hyderabad, in I.D.No.294 of 1993 dated
18-09-1995 dismissing the I.D. in toto and directing the petitioner to pay costs of Rs.500/- to the Corporation.

The petitioner while working as Conductor in the respondent Corporation is alleged to have committed irregularities in discharge of the duties and the Corporation issued charge-sheet. The petitioner submitted his explanation denying the charges. The main grievance of the petitioner is that the Enquiry Officer without furnishing any document and without reasonable opportunity, had conducted the enquiry and submitted the report. Basing on the report, the Corporation issued notice to show cause as to why he should not be removed from service and the petitioner submitted the explanation. Subsequently, the petitioner was removed from service and the appeal filed by him was also rejected. Hence, this writ petition.

Heard learned counsel for the petitioner and learned standing counsel for the Corporation.

Admittedly, the petitioner was removed from service in the year 1974 and the I.D. was filed in the year 1990 i.e. after a lapse of more than 14 years. The Tribunal after appreciating the facts and evidence on record found that the material particulars furnished by the workman are insufficient to adjudicate the dispute and also to call for the record from the Corporation. Thus, the allegations of the petitioners are not

substantiated by way of evidence. Further, except marking of Ex.W-1 appointment order, there is nothing on record to adjudicate the claim of the workman. In these circumstances, the Tribunal rightly dismissed the I.D. and imposed costs of Rs.500/- on the ground of laches.

Having regard to the above facts and circumstances, I do not see circumstances warranting interference to judicially review the impugned order passed by the Tribunal. The writ petition is therefore dismissed. No order as to costs.

06-02-2006

bsc